

PRESENT:

Commissioner Kathy Carter
Commissioner Lynn Bowers
Commissioner Andrew S. Layson
Commissioner Rodney S. Williams
Mayor William I. May, Jr.

(5)

ABSENT:

None

(0)

The Invocation was given by Reverend Jana Hall, First Presbyterian Church.

It was moved by Commissioner Bowers, seconded by Commissioner Carter, that the reading of the minutes of the February 1, 2005 Special Meeting, February 1, 2005 Special Work Session, February 3, 2005 Special meeting, February 14, 2005 Special Work session, February 17, 2005 Special Work Session, March 8, 2005 Special Meeting, and March 14, 2005 Special Meeting be dispensed with and approved. The question was put upon the motion and the roll called. Those voting in favor of the motion were Commissioners Carter, Bowers, Layson, and Williams, and Mayor May (5). Those voting against the motion were none (0). The motion was thereupon adopted.

Mayor May announced that those in attendance to speak to the alcohol sales issue may do so under the Citizens Comments section of the Agenda.

Mayor May recognized Sergeant Jeffrey Quarles on his retirement from the Fire Department, and Ryan Fischer for his promotion in the Fire Department to the rank of Sergeant.

Mayor May acknowledged with thanks, the service of Tom Fitzgerald as Pharmacist for Frankfort EMS for four years.

Mayor May read a Proclamation declaring April 2005 Child Abuse Prevention Month. Debbie DeMers, Safe Place Coordinator, and Rendell Butler, Franklin County CASA, were present to accept the Proclamation.

“AN ORDINANCE REZONING PROPERTY LOCATED AT TRACT B, LOCATED AT THE INTERSECTION OF U. S. HIGHWAY 60 AND MEADOW VIEW DRIVE, FROM RD (LOW DENSITY MULTI-FAMILY RESIDENTIAL) TO CL (LIMITED COMMERCIAL)” was presented and read.

“AN ORDINANCE TO AMEND FRANKFORT’S ZONING ORDINANCE, THAT BEING ORDINANCE NO. 8, 1983 SERUES, ARTICLE 2, SECTION 2.115; ARTICLE 5 IN ITS ENTIRETY; AND ARTICLE 8, SECTIONS 8.40, 8.401. 8.402, 8.403, AND 8.404 was removed from the agenda.

“AN ORDER AMENDING ORDER NO. 4, 2003 SERIES RELATING TO PROCEDURES FOR MEETINGS OF THE FRANKFORT BOARD OF COMMISSIONERS, was presented. Commissioner Bowers moved, seconded by Commissioner Layson, to amend the Order by inserting after the words “reserved for” in Article III, Section 3, the phrase “but not limited to”. The question was put upon the motion and the roll called. Those voting in favor of the motion were Commissioners Carter, Bowers, Layson and Williams, and Mayor May. The motion was thereupon adopted. It was moved by Commissioner Bowers, seconded by Commissioner Carter, to adopt the Order as amended. The question was called and the motion adopted by voice vote.

Consent Agenda

The following miscellaneous and personnel items were presented:

- 6.1
- Authorization to enter into a contract with Integra Realty Resources for appraisal services for the Carter property, Leonardwood Drive property, Library property at 305 Wapping Street, and the Hurst/Fincel properties in the total amount of \$4,850 from Reserve for Contingency Account No. 95-53295 (Finance Department);
- 6.2
- Authorization to award bids for pool chemicals for the 2005 swimming season to Swim Pro Supply for Calcium Hypo Chlorite Tablets at \$95.50 per 55-gallon drum (estimate 150 drums); Emsco for 15-gallon drums of 20 Deg. Muratic Acid at \$28.10 per 15-gallon drum (estimate 4 drums); Ulrich Chemical for 55-gallon drums of 20 Deg Muratic Acid at \$100.98 per 55-gallon drum (estimate 6 drums); Ulrich Chemical for 25-Lb. drums at \$36.00 per drum (estimate 40 drums); anticipated costs for chemicals at \$17,500 from Account No. 100.82.54335, half to be paid from budget year ending June 20, 2005 and half from budget year ending June 30, 2006. (Parks and Recreation Department);
- 6.3
- Approval of a General Utility Agreement with the Commonwealth of Kentucky Transportation Cabinet for the acquisition of easements associated with the relocation of sanitary sewers along the US 421 corridor (Sewer Department);
- 6.4
- Authorization to collect delinquent 2004 Ad Valorem Property Tax Bills and Ambulance Service Bills through Kentucky Accounts Service in Lexington, Kentucky (Finance Department);
- 6.5
- Authorization to purchase eleven (11) police pursuit vehicles and one (1) Street Appearance Package vehicle under State Contract Master Agreement #C-04534210; total cost of \$239,795 to be paid from Account No. 100.43.56550 (Police Department);
- 6.6
- Bid award to Sani Tech Services to perform preventive maintenance cleaning of sanitary and combined sewers for an hourly rate of \$183.75, not to exceed \$25,000 to be paid from 100.62.53295 (Sewer Department);
- 6.7
- Reject street sweeper bids and contract with Sweeping Corporation of America for a period of one year; cost of \$2,600 per cycle, four (4) cycles to maintain current level of service, to be paid from Account No. 100.62.53295 (Public Works Department);
- 6.8
- Bid award to Leak Eliminators, LLC, for the City Maintenance Facility Sanitary Sewer Facility Sewer Project at a cost of \$94,800 to be paid from Account No. 100.90.53295 (Public Works);
- 6.9
- Authorization to apply for litter abatement funds through the Kentucky Natural Resources and Environmental Protection Cabinet, in an amount estimated to be \$14,585, with a 25% local match required (Public Works);
- 6.10
- Approval of low bid for demolition at 309 Murray Street and to execute the Memorandum of Agreement with John Feshal, bid of \$5,800; Account No. 100.70.53295 (Planning and Building Codes);
- 6.11
- Approval of low bid for demolition at 306 Murrell Avenue and to execute the Memorandum of Agreement with John Geshall, bid of \$9,000; \$8,200 budgeted from Account No. 100.70.53295; remaining balance of \$800 budgeted from Reserve for Contingency Account No. 100.95.53295 (Planning and Building Codes);
- 6.12
- Approval of Change Order No. 1, Leak Eliminators, LLC, to complete repairs to and separation of combined sewers in Buffalo Alley, in the amount of \$21,516 to be paid from Account No. 300.68.56550 (Sewer Department);
- 6.13
- Bid award to Mark's Guns for purchase of police duty and off duty weapons, for a total cost of \$18,010, to be paid from Account No. 100.43.56550 (Police Department);
- 6.14
- Approval of an amendment to Engineering Services Agreement with Quest Engineers to provide professional engineering services associated with sanitary sewer system evaluations; cost of amendment of \$155,000 paid from Account No. 300.68.56550 (Sewer Department);
- 6.15
- Authorization to waive the Payment in Lieu of Taxes (PILOT) for the Frankfort Housing Authority in the amount of \$21,160, for the year 2004 (Finance Department);
- 6.16
- Approval of a contract with Ronald W. Tierney, Member/Manager, Tierney Storage, LLC at 119 Fortune Drive in Franklin County, Kentucky, which is in the Franklin County Business Park #3 to accept three new manholes, 467 feet of 8-ince SDR 35 pipe and serving one lot (Sewer Department);
- 6.17
- Personnel
 - Appointment of Mark Noe, Jr. to position of Maintenance Worker, effective April 5, 2005 (Sanitation Department);

- Appointment of Joel K. Dunmire to position of Patrol Officer effective March 28, 2005 (Police Department);
- Appointment of Raymond Austin to position of Maintenance Worker, Street Division, effective March 29, 2005 (Public Works);
- Appointment of Christopher E. Martin to position of Pump Maintenance Assistant effective April 12, 2005 (Sewer Department);
- Promotion of Ryan C. Fischer to position of Sergeant effective March 29, 2005 (Fire Department);
- Promotion of Justin Austin to position of Equipment Operator effective March 29, 2005 (Sanitation Division, Public Works);
- Promotion of Darrell A. Hearn to position of Equipment Operator I effective Marcy 29, 2005 (Street Division, Public Works);
- Confirmation of Jason Combs to position of Firefighter effective March 16, 2005 (Fire Department);
- Retirement of Sgt Jeffery C. Quarles effective February 28, 2005 and authorize payment of 26 hours Holiday Time (Fire Department);
- Resignation of John Ethington effective February 8, 2005 (Sanitation Division, Public Works);
- Resignation of Brian Satterwhite effective February 8, 2005 and authorize payment of 60 hours Vacation Time (Sewer Department);
- Resignation of Andrew Stivers effective March 12, 2005 and authorize payment of 188 hours Vacation Time (Communications);
- Termination of Bryan Ruble effective February 22, 2005 and authorize payment of 4 hours Vacation time (Public Works).

City Manager Tony Massey read a letter of from Finance Director James C. Rogers announcing his intention to retire on July 31, 2005.

Commissioner Bowers moved, seconded by Commissioner Layson, that the above miscellaneous and personnel items be approved, with regret at Mr. Rogers retirement announcement. All members being present and no objection having been filed by the City Clerk, the motion was thereupon adopted by general consent.

Board Appointments

Upon recommendation by Mayor May, It was moved by Commissioner Bowers moved, seconded by Commissioner Carter, that David Garnett and Rona L. Stapleton be reappointed to the Code Enforcement Board for terms to expire March 22, 2008. The question was put upon the motion and the roll called. Those voting in favor of the motion were Commissioners Carter, Bowers, Layson and Williams, and Mayor May (5). Those voting against the motion were none (0). The motion was thereupon adopted.

Old Business

It was moved by Commissioner Carter, seconded by Commissioner Bowers, to authorize the transfer of the Paul Sawyer Library property and enter into an interim lease with the Paul Sawyer Library Board in the amount of \$1,076 per month for 18 months; to direct the City Solicitor to research the rental market value for the property; present the research information to the Board of Commissioners for consideration of whether the rent should be adjusted according to the determined market value; to complete this research within a reasonable period of time. The question was put upon the motion and the roll called. Those voting in favor of the motion were Commissioners Carter, Bowers, Layson and Williams, and Mayor May (5). Those voting against the motion were none (0). The motion was thereupon adopted.

Keith Reeves, Architect Design Group, Inc. gave a Powerpoint presentation regarding project delivery options and legal protocols for construction of the Public Safety Building. Mr. Reeves recommended the Board use the Construction Management method.

New Business

It was moved by Commissioner Bowers, seconded by Commissioner Carter, to enter into a recycling agreement with Lexington-Fayette Urban County Government to process and market recycling material. The question was put upon the motion and the roll called. Those voting in favor of the motion were Commissioners Carter, Bowers, Layson, and Williams, and Mayor May (5). Those voting against the motion were none (0). The motion was thereupon adopted.

Citizen Comments

Ken Thompson spoke in opposition to Sunday alcohol sales, asking the Board to consider the social costs and stating there were no examples of conventions lost to Frankfort for lack of Sunday alcohol sales.

Reverend David Henson, First Baptist Church, spoke in opposition to Sunday alcohol sales and asked the Board not to underestimate the opposition to Sunday alcohol sales.

Ann Gibbs spoke in opposition to Sunday alcohol sales. Citing fairness as an issue, she stated Sunday sales at the VFW and Elks Clubs should be rescinded.

Diana Looney voiced agreement with Mr. Thompson's comments, stating the Sunday alcohol sales issue should be put to a public vote.

Reverend Ron Robinson spoke in opposition to Sunday alcohol sales, also calling for a public vote on the issue.

Charles Booe stated ambivalence to the Sunday alcohol issue. He stated it is a moral issue, but the criteria that a facility have 100 seats discriminates against small business.

Wes Henry spoke in opposition to Sunday alcohol sales. Stated government officials have an obligation to support the well-being of the public.

Commissioner Comments

Commissioner Carter commended City Forester Andrew Cammack for his work with the Frankfort School System, and Edith Noe, for being named Planning and Building Codes Employee of the Year. She also commended Fire Chief Wallace Possich and Sewer Director Bill Scalf for their departmental newsletters.

Commissioner Bowers thanked the Frankfort Police Department for participation in the Big Brothers/Big Sisters Bowl for Kids Sake.

Commissioner Layson commented that the Sunday alcohol sales matter involved a lot of issues and is not being taken lightly by the Commission. He stated the Commission is attempting to investigate the matter and learn relevant facts. He commended Finance Director James Rogers on his 36 years of service with the City of Frankfort, giving his personal thanks and best wishes. Commissioners Carter and Bowers echoed Commissioner Layson's remarks.

Commissioner Williams congratulated Finance Director James Rogers on his upcoming retirement. He expressed appreciation for Mr. Rogers' willingness to assist in the training of a new Finance Director. Announced that one of the main reasons for his wanting to serve on the Board was the condition of the sewer system, and he would do whatever needs to be done to improve the system.

On a motion by Commissioner Bowers, seconded by Commissioner Carter, the meeting adjourned at 7:30 p.m.

MAYOR

ATTEST:

CITY CLERK
